THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19604 OF 2005

DATED:5.9.2005

Between:

Alladi Narasimha, S/o. (Late) Adavaiah

R/o.Mallapur Village, Uppal Mandal

Ranga Reddy District and others

…Petitioners

And

Special Deputy Collector, Land Acquisition (Industries)

Hyderabad and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19604 OF 2005

ORDER:

The petitioners claimed to have right in the land in S.No.123 (admeasuring Ac.1.34 gts) and S.No.124 (admeasuring Ac.0.18 gts.) of Mallapur Village, Uppal Mandal, Ranga Reddy District. It appears, respondents 3 and 4 moved the Inams Tribunal under A.P. (Telangana Area) Abolition of Inams Act, 1955 (for short, the Act) for grant of occupancy certificate, which was granted. Aggrieved by the same, petitioners preferred an appeal before the Joint Collector, which was dismissed on 14.4.2003. This is challenged before this Court in W.P.No.16172 of 2003, which is still pending. In the mean while, it appears, first respondent herein initiated proceedings under the Land Acquisition Act, 1894 (for short, the LA Act) for acquiring the land for M/s.Bharat Electronics Ltd. The petitioners allege that though

they approached first respondent staking claim in the compensation amount, first respondent did not refer the matter under Section 31 of the LA Act to Civil Court. Hence, they filed the present Writ Petition seeking a direction to first respondent.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (Land Acquisition), on instructions, submits that in award enquiry in respect of subject lands there was no claim before the Land Acquisition Officer and that after passing award on 7.10.2003, petitioners on one side and respondent No.4 on the other side filed applications claiming compensation.

In that view of the matter, without expressing any opinion on the rights of the petitioners, which are yet to be adjudicated in W.P.No.16172 of 2003, this Writ Petition is disposed of directing first respondent to conduct enquiry and refer the matter to Civil Court. No costs.

_____

(V.V.S.RAO, J)

5.9.2005

bnr